

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Francisco Carlos SANCHEZ-Mejia,

Defendant

Magistrate Docket No.


08 MJ 0231  
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States


The undersigned complainant, being duly sworn, states:

On or about **January 24, 2008** within the Southern District of California, defendant, **Francisco Carlos SANCHEZ-Mejia**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **25th** DAY OF **JANUARY** **2008**

  
Jan M. Adler  
UNITED STATES MAGISTRATE JUDGE

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**CONTINUATION OF COMPLAINT:****Francisco Carlos SANCHEZ-Mejia****PROBABLE CAUSE STATEMENT**

On January 24, 2008, Senior Patrol Agent M. Escoto was patrolling an area near Tecate, California. At approximately 8:30 Am., while patrolling the area Agent Escoto responded to seismic sensor activation. This area is approximately five miles west of the Tecate , California, Port of Entry and is frequently used by undocumented aliens to further their entry into the United States. Agent Escoto noticed some footprints in this area and started following them north. Agent Escoto found a single individual hiding in a canyon. Agent Escoto identified himself as a United States Border Patrol Agent and asked the defendant later identified as Francisco Carlos SANCHEZ-Media, what country he was a citizen of. The defendant stated that he was a citizen and national of Mexico and did not posses any immigration documents allowing him to enter, be or remain in the United States legally. At approximately 8:45 am, Agent Escoto placed the defendant under arrest and transported to the United States Border Patrol Brown Field Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on September 12, 2007 through San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.